

1 IN THE UNITED STATES DISTRICT COURT
2

3 FOR THE SOUTHERN DISTRICT OF NEW YORK

4 JASON GOODMAN

Case No.: 1:21-cv-10878-AT-JLC

5 Plaintiff,

6 vs.

AFFIDAVIT OF JASON GOODMAN

7 CHRISTOPHER ELLIS BOUZY, BOT
8 SENTINEL INC.,

9 Defendants

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11 I, Jason Goodman hereby affirm as follows:

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13 1. I am over eighteen (18) years of age. I have never been convicted of a felony or any
14 crime involving moral turpitude. I am competent to testify to the matters stated herein.

15 2. I have personal knowledge of each and every statement made in this Affidavit and such
16 statements are true and correct.

17 3. I make and submit this Affidavit in connection with the Motion for Default Judgment,
18 Permanent Injunction, Damages, Fees and Costs (“Motion for Default Judgment”).

19 4. On December 19, 2021, I filed a complaint against Defendants (ECF No. 1). As set forth
20 in the complaint, the court has jurisdiction over this matter pursuant to 28 U.S.C. §
21 1391(b) and (c).

22 5. I hired professionally licensed process server Michael Phelan (“Phelan”) to serve the
23 summons and complaint to both Bouzy and Bot Sentinel, Inc.

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- 1 6. Over the course of several days on or about January and February of 2022, Defendant
- 2 Bouzy interacted with Phelan during the course of multiple attempts to serve the
- 3 summons and complaint as documented in signed proof of service (ECF No. 21).
- 4
- 5 7. Phelan followed the law and local rules in attempting to serve Bouzy both personally and
- 6 as the registered agent for Bot Sentinel, Inc. at both his home and the officially recorded
- 7 place of business of Bot Sentinel, Inc.
- 8
- 9 8. Phelan concluded that Bouzy deliberately and persistently avoided service.
- 10
- 11 9. On or around June 21, 2022, I received a letter via Fed Ex from Carlos Martinez of the
- 12 law firm Scura, Wigfield, Heyer, Stephens, Camoratta in which Martinez stated that he
- 13 represented both Bouzy and Bot Sentinel, Inc.
- 14
- 15 10. The letter included a demand that I withdraw Goodman v Bouzy et al or else face a
- 16 countersuit based on claims I believed to be false. I responded to Mr. Martinez first by
- 17 telephone, then by email asking that he make the demand via motion upon submitting a
- 18 notice of appearance on behalf of Bouzy and Bot Sentinel Inc.
- 19
- 20 11. On or around July 7, 2022, Mr. Martinez responded saying he would convey my message
- 21 to his client and would “move forward accordingly”.
- 22
- 23 12. There has been no further communication with Mr. Martinez or any other attorney
- 24 representing Bouzy or Bot Sentinel, Inc.
- 25
- 26 13. On or around June 1, 2022, via Twitter, Bouzy tweeted “I am not worried about a pro-se
- 27 lawsuit filed by a conspiracy theorist” and attached an image of the Amended Order of
- 28 Reference to A Magistrate Judge including the caption indicating that he and his
- company are defendants in the lawsuit.
14. Defendants are aware of this lawsuit and have made that known.

1 15. Defendants are or were recently represented by counsel.

2 16. Defendants have attempted to avoid service but have made a sufficient demonstration of

3 actual knowledge of this lawsuit and deliberate efforts to avoid service.

4 17. Defendants have demonstrated constructive service by acknowledging this instant action

5 in public postings on social media including Twitter and with the Martinez letter.

6 18. More than 30 days have passed since Defendants were served with the summons and

7 complaint. Defendants have failed to file a notice of appearance despite demonstrating

8 actual knowledge of the action and representation by counsel.

9 19. In addition to a default judgment and permanent injunction against Defendants, Plaintiff

10 also seeks an award of damages, fees and costs. Plaintiff respectfully requests that if the

11 Court grants it an award of damages, fees and costs, that the matter be referred to

12 Magistrate James L. Cott for an inquest. Lin v. Grand Sichuan 74 St Inc., No. 15-CV-

13 2950 (RA), 2021 U.S. Dist. LEXIS 26457 (S.D.N.Y. Feb. 11, 2021) (granting plaintiffs'

14 motion for default judgment and referring the matter to the magistrate judge for an

15 inquest into damages).

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20 Signed this 20th day of November 2022

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22 Respectfully submitted,

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